

**EQUALITY IMPACT ASSESSMENT
(EIA)**

Please ensure that you read the EIA Framework
before completing this pro-forma.

Date
Started: 26/01/06

Service Group/Team: LEGAL

Lead Officer(s): SIAN WALTER-BROWNE

Name of policy, procedure or practice: FREEDOM OF INFORMATION (WRITTEN)
(Written or unwritten)

Who is responsible for it and who implements it? HEAD OF LEGAL SERVICES & MONITORING OFFICER/CORPORATE INFORMATION
MANAGER

Stage 1. Setting Terms of Reference.
For advice refer to **Stage 1.1** of the EIA guidance

- **What are the broad aim(s) or objective(s) of the policy, procedure or practice?**

To oversee the Council's compliance with all aspects of the FOI Act 2000 and associated regulations and codes of practice.

- **What outcomes do you want to achieve/what does "success" look like?**

Customer satisfaction and all requests for information being completed within statutory 20 working day deadline.

1.2 Research

Please refer to **stages 1.2, 1.3 and 1.3** of the EIA guidance:

Once you have established the aims and objectives of the policy, procedure or practice under assessment you need to find out how the policy, procedure or practice is likely to affect any particular stakeholder groups, assessing impact. Therefore, you need to:

- Know who your stakeholders are and what their needs are likely to be
- Know what effect your policy, procedure or practice is likely to have on them.

You should:

- Question your current view and ensure that it is supported by evidence. Do you need further information?
- Research what information (quantitative and qualitative) is available that will enable you to make a sound and fair judgement.
- Consider whether you need to carry out a consultation exercise with stakeholders to gain the necessary information. If so, can you do this in partnership with another team/service area/local authority?

A good starting point is to analyse the information you collect internally through the monitoring of existing policies, procedures or practices. If assessing a new policy, procedure or practice, to indicate likely impact, you may be able to use data collected for something similar.

- **If possible, how do you monitor the impact of the policy, procedure or practice? If it is not possible please briefly explain why.**

Database developed which provides defined corporate reports on applications received and whether these are meeting 20 working day statutory deadline for responses.

- **If you have a monitoring system in place how do you monitor the impact that it has on different stakeholder groups? If you do not monitor the impact on different stakeholder groups is there a justifiable reason for this?**

No formal monitoring of impact on different stakeholder groups. Statutory duty is to provide recorded information (subject to special exemptions) and to give advice and assistance to persons irrespective of composition of stakeholder groups.

Please Note: It is a statutory requirement of the Race Relations Amendment Act 2000 to monitor employment and service delivery according to ethnicity, where possible. You should have identified monitoring arrangements in your Race Equality Scheme Action Plan.

1.2 Research Continued:

Please list below all of the data/information you have used to inform your impact assessment, including source & reference E.g
Equal Opportunities Policy, Complaints/feedback or evaluation forms
Recruitment & Selection Policy
National Census Ethnicity Data, Workforce Information Digest
Recruitment Monitoring Statistics, Recruitment Data

1. Office for National Statistics – Based on 2001 Census figures for Tendring (Revised where appropriate to reflect ONS Mid 2003 estimate)

ETHNICITY DATA	TENDRING %	ENGLAND AVERAGE
WHITE - BRITISH	96.8	87.5
WHITE – OTHER	1.9	3.8
MIXED	0.6	1.3
INDIAN	0.1	2.0
PAKISTANI	0	1.4
BANGLADESHI	0	0.5
OTHER ASIAN	0.1	0.5
CARIBBEAN	0.1	1.1
AFRICAN	0.1	0.8
OTHER BLACK	0	0.2
CHINESE OR OTHER ETHNIC GROUP	0.3	0.9

Commentary – Ethnic minority groups only represent 3.2% of Tendring's population compared with 12.5% average in England. This represents only 4508 of Tendring's 140,900 resident population (mid 2003 estimate provided by the ONS).

RETIRED PEOPLE

TENDRING %	ENGLAND AND WALES AVERAGE
30.0	19.0

Commentary: - The retired population represents a substantial proportion of the resident population of Tendring and is almost 11% above the national average.

HEALTH:-

	TENDRING %	ENGLAND AVERAGE %
Limiting Long Term Illness	24.0	18.2

Commentary:- With almost ¼ of Tendring's population reporting a limiting long term illness it must be assumed that there must be some problems being experienced in accessing services in traditional ways. In addition 11.2% of the District's population report general health as "not good". As at August 2003 6,965 people in Tendring below the age of 65 receive disability living allowance (Source: Dept for Work and Pensions).

Other data/information used:-

- Disability Discrimination Act
- TDC Race Equality Scheme
- TDC Equality and Diversity Policy

Stage 2 – Impact Assessment –

You should have used your research to find out whether any stakeholder groups are likely to receive unjustifiable and/or adverse differential treatment, based on their specific needs/requirements and the way that the policy, procedure or practice is currently delivered. Please record these groups, indicate what their specific needs/requirements are in relation to the policy, procedure or practice and the likely impact in the table below. (You may need to extend the table)

If the policy, procedure or practice is not likely to have a specific impact on a particular stakeholder group, according to their needs or requirements, then you do not need to record that on the grid below but you need to be able to justify why, should you be challenged.

Stake Holder Group	Specific Needs/Requirements in relation to The Policy, Procedure or Practice	Likely impact of Policy, Procedure or Practice
Ethnic Minority Groups and persons unable to speak English.	Difficulty understanding complexities of scheme or rights under FOI Act especially where English is not spoken.	Group may be disadvantaged by not being able to fully access these policies. However neither staff or stakeholder groups have fed back evidence of adverse impact as a result of parts of the legislation currently in force. Under the circumstances likely impact is considered to be minimal at this stage.
Elderly	Possible difficulties in reading small print documents and understanding complex procedures.	Minimal. Advice and assistance readily available from staff by phone, e-mail or general correspondence (actual requests for information must be in writing or submitted by e-mail). Home visits could be arranged in exceptional cases.
Sick/Disabled	Possible difficulties in calling at Council offices or making phone enquiries.	Minimal. Advice and assistance readily available from staff by phone, e-mail or by general correspondence (actual requests for information must be in writing or submitted by e-mail). Home visits could be arranged in exceptional circumstances.

Stage 2.2. Has your research revealed whether you need to amend the policy, procedure or practice in any way? For advice refer to stage 2.2 of the framework.

- If you have decided not to take any action then you must explain why below.
- **Based on any likely justifiable an/or adverse differential treatment you have identified you should have drawn up proposals to overcome the unjustifiable and/or adverse treatment:**
 - Depending on the scope of your assessment you may be able to record the main body of your proposal(s) below.
 - If you have developed an action plan you should summarise its key points and provide reference to it and where it is located below.
 - If you have produced a report then you should summarise its findings and include reference to where it is located below.

You should have consulted on your proposals with relevant stakeholder groups, incorporating their feedback as necessary, according to **stages 3 & 4** of the EIA guidance. You should summarise your consultation on the next section of this form.

No action to be taken for the following reasons:-

1. Advice and assistance is readily available from staff. The services of an interpreter could be engaged in exceptional circumstances subject to availability.
2. Home visits can be arranged in exceptional circumstances.
3. FOI Booklet for customers provided in a colour and format that will assist the partially sighted.
4. Westleigh House reception has been adapted to meet the DDA requirements so that visitors with disabilities should have no problems accessing these services.
5. Details of people's rights under the Freedom of Information Act and application procedures can be downloaded from the Council's Website.
6. Census figures show that Legal Services is taking a proportionate and reasonable approach to EIA.

Stages 3/4 – Formal Consultation & Consultation Result

This is only necessary if you have drawn up proposals to address any issues identified in **stage 2.2**. For consultation advice, in the first instance please refer to **stages 3 & 4** of the EIA Framework.

Which stakeholder groups have you consulted with? How have you consulted with them? What were the results? Have you altered your approach due to feedback, if so what have you changed? *Please summarise below*

N/A

Stage 5 – Publish Findings

Please summarise below arrangements you have made for publication of your findings. For advice please refer to **stage 5** of the EIA guidance

Council's Website

Stage 6 – Monitor & Review Arrangements

Please summarise below what arrangements you have made to monitor/review the impact of the policy, procedure and practice. For advice please refer to **stage 6** of the EIA guidance. Please explain why if you have not.

Annual review of statutory FOI Publication Scheme.

Date Completed 01/03/06